

Entry recommended

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9/21/08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
**Zucherman, et al.** )  
Serial No.: **10/037,236** ) PATENT PENDING  
Filed: **November 9, 2001** ) Examiner: Mr. David C. Comstock  
For: **Inter-Spinous Process Implant and** ) Group Art Unit: 3733  
**Method with Deformable Spacer** ) Confirmation No.: 6669  
Docket No: **5910-162** )

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Commissioner for Patents  
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**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

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August 22, 2008

Date

  
Cora L. Fedornock

This correspondence is being:

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**AFTER FINAL RESPONSE**

In response to the Final Office Action mailed 24 July 2008, Applicant submits the following response. Reconsideration is respectfully requested in light of the remarks below. While no additional fees should be required, if any are required please charge them to Deposit Account No. 18-1167.